

NEWS



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NEW ORLEANS MAN SENTENCED TO SIX YEARS IN FEDERAL PRISON FOR GUN VIOLATION

NEW ORLEANS, LOUISIANA - Jim Letten, United States Attorney for the Eastern District of Louisiana, and David G. Harper, Special Agent in Charge, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), announced today that United States District Judge Jay C. Zainey sentenced **CARDAL HAYES**, 30, of New Orleans, Louisiana, to a total of seventy-two (72) months on one (1) felony count of being a felon in possession of a firearm.

In addition to the term of imprisonment, Judge Zainey imposed three (3) years of supervised release following the term of imprisonment. During the three year term the defendant will be under federal supervision and risks an additional term of imprisonment should he violate any terms of his supervised release. Judge Zainey stressed to the defendant that as a result of his

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felony conviction and as one of the terms of his supervised release, Hayes was prohibited from possessing a firearm.

HAYES entered a guilty plea on August 3, 2006, before Judge Zainey admitting that he illegally possessed a .38 caliber revolver on November 15, 2004, in New Orleans, Louisiana. He fled after observing New Orleans Police Officers on patrol. After engaging the officers in a foot chase, he hid under an abandoned, burned “double” house. When the police officers surrounded the perimeter of the double house and **HAYES** was ordered to show his hands, he pointed the revolver in the direction of one of the officers. On April 27, 1999, **HAYES** was convicted in Orleans Parish Criminal District Court after trial of attempted possession of heroin, a crime punishable by a period of imprisonment in excess of one year, and is prohibited by federal law from possessing a firearm.

After considering the guidelines recommendation of a term of incarceration of 24 to 30 months, the Court indicated that such a term of imprisonment was not appropriate under the circumstances and imposed a sentence above the guideline range. The Court, among other things, found “especially disturbing” the fact that the defendant ran from the police officers on patrol when he observed them and that he pointed a revolver, which had one round in it, in the officer’s direction, causing the police officer to fear for his life.

After sentencing, **HAYES** was remanded to the custody of the United States Marshals Service to begin his term of imprisonment.

This matter was investigated by Special Agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) together with members of the New Orleans Police Department. This case was prosecuted by Assistant United States Attorney Carol Michel.

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